

**Listing of Claims:**

1. (Currently Amended) A crushing apparatus, comprising:  
a rotary crusher;  
a hydraulic motor for rotating the rotary crusher;  
a feeder for feeding an object to be crushed to the rotary  
crusher; and  
a controller for controlling the feeder and the hydraulic  
motor,

wherein

the hydraulic motor is a capacity-variable motor that can be  
switched between a predetermined capacity and a large capacity,  
the crushing apparatus including:

a load detector for detecting a loading state of the  
hydraulic motor;

a load judging device for judging whether the loading state  
of the hydraulic motor detected by the load detector is in an  
overloaded state or an underloaded state;

a feeding amount controller for decreasing or stopping a  
feeding by the feeder of the object to be crushed when the load  
judging device judges as underloaded that the hydraulic motor is  
in the overloaded state and for increasing or starting the  
feeding by the feeder of the object to be crushed when the load  
judging device judges as overloaded that the hydraulic motor is

in the underloaded state, the feeding amount controller being arranged to adjust the feeding of the object by the feeder based on or as a function of a crushing duration time between time points when the feeding of the object to be crushed is increased or started and when the feeding of the object to be crushed is decreased or stopped; and

a motor capacity controller for changing a capacity of the capacity-variable motor to the large capacity when the load judging device judges as that the hydraulic motor is in the overloaded state.

2. (Previously Presented) The crushing apparatus according to claim 1, wherein

the motor capacity controller returns the capacity of the hydraulic motor to the predetermined capacity when the load judging device judges that the hydraulic motor is out of the overloaded state.

3. (Previously Presented) The crushing apparatus according to claim 1, wherein

the rotary crusher is driven by two hydraulic motors; and one of the hydraulic motors is the capacity-variable motor.

4. (Previously Presented) The crushing apparatus according to claim 3, wherein

the other of the hydraulic motors is a capacity-switchable motor that can be switched between two positions respectively providing the large capacity and the predetermined capacity.

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5. (Previously Presented) The crushing apparatus according to claim 1, wherein the capacity-variable motor is a control motor that changes the capacity by self-pressure.

6. (Currently Amended) ~~The A~~ crushing apparatus according to claim 1, comprising:

a rotary crusher;

a hydraulic motor for rotating the rotary crusher, the

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hydraulic motor is a capacity-variable motor that can be switched between a predetermined capacity and a large capacity;

a feeder for feeding an object to be crushed to the rotary crusher;

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a controller for controlling the feeder and the hydraulic motor;

a load detector for detecting a loading state of the hydraulic motor;

a load judging device for judging whether the loading state of the hydraulic motor detected by the load detector is in an overloaded state or an underloaded state;

a feeding amount controller for decreasing or stopping a feeding by the feeder of the object to be crushed when the load judging device judges that the hydraulic motor is in the overloaded state and for increasing or starting the feeding by  
20 the feeder of the object to be crushed when the load judging device judges that the hydraulic motor is in the underloaded state; and

a motor capacity controller for changing a capacity of the capacity-variable motor to the large capacity when the load  
25 judging device judges that the hydraulic motor is in the overloaded state, and

wherein the feeding amount controller includes:

a crushing duration time measuring unit for measuring a crushing duration time between time points when the feeding of  
30 the object to be crushed is increased or started and when the feeding of the object to be crushed is decreased or stopped;

a time judging unit for judging whether the measured crushing duration time is longer than a predefined set time; and

35 a feeding amount adjusting unit that decreases a capability of the feeder in a subsequent feeding process when the measured crushing duration time is equal to or shorter than the set time, and increases the capability of the feeder in the subsequent feeding process when the measured crushing duration time is longer than the set time.

7. (Previously Presented) The crushing apparatus according to claim 6, wherein

the feeder is a tub that is rotatably provided on an upper portion of the crusher, the tub rotating to feed the object to be crushed to the crusher; and

5 the crushing duration time measuring unit measures a forward-rotation time of the tub which rotates in a direction for feeding the object to be crushed to the crusher to provide as the crushing duration time.

8. (Previously Presented) The crushing apparatus according to claim 7, wherein

an upper limit value and a lower limit value of the forward-rotation speed are set for the tub; and

5 the feeding amount controller has a lower limit value setting unit for setting the lower limit value as a rotation marginal value at which the rotation of the tub is not stopped.

9. (Previously Presented) The crushing apparatus according to claim 8, wherein

the feeding amount controller has an upper limit value setting unit for setting the preset rotation speed for the tub to 5 the upper limit value of the rotation speed when the measured crushing duration time is judged to be longer than the set time.